

REMARKS

Claims 48-75 are pending in this application before amendment. Claims 48-75 are rejected.

Claims 76-91 are added by amendment, without any intention of introducing new subject matter. For the Examiner's convenience, we point out that claims 76-83 build on claims granted in US Pat. No. 6,542,912; claims 84-89 build on US Pat. No. 6,226,675; and claims 90-91 build on US Pat. No. 6,125,391. If the Examiner considers a restriction requirement to be in order, a telephone call would be appreciated and we will respond immediately.

Rejection Under 35 U.S.C. § 102(b) of Claims 48-75

The Examiner rejects **claims 48-75** under 35 U.S.C. § 102(b) as anticipated by "Guidelines for using XML for Electronic Data Interchange"; Version 0.02; Editor: Martin Bryan, the SGML Centre; September 12, 1997.

Claim 48

Claim 48 includes the limitations:

maintaining a registry of machine-readable specifications specifying business services offered by trading partners, the machine-readable specifications including at least one of definitions of, and references to definitions of, services offered and at least one of definitions of, and references to definitions of, documents to be exchanged with such services by trading partners; and

providing, in response to a request, one or more of the machine-readable specifications from said registry via a communication network to a requesting node.

These limitations are not found in Bryan.

In our prior response, we made a number of points that are not addressed in the final office action. We are not repeating them, but instead incorporating them by reference to assure that we are not misconstrued as abandoning the positions that went unanswered.

The Bryan reference can be easily dismissed, because the passages on which the Examiner relies are prophetic, not indicative of anything that had been built or that

could anticipate these claims. Both version 0.02 and 0.05 call for people to build things in the future; they express a need for innovation. From version 0.02, page 9, "It is anticipated that new applications will be created from the spark of XML/EDI implementation. The following list isn't comprehensive, but a starting place for development." From version 0.05, § 5, the revised text says, "It is anticipated that new applications will be created from the spark of XML/EDI implementation. ... The following examples of the type of facilities that could be built into an XML/EDI implementation isn't comprehensive, but a starting point for discussion."

During our reported interview of October 15, the Examiner agreed that the passages on which he relied were prophetic and could not sustain a § 102 rejection.

Therefore, claim 48 should be allowed over Bryan.

Claims 49-75

It is not necessary to reiterate our positions regarding claims 49-75, because Bryan's prophetic statements cannot support rejections of any of these claims.

Applicants respectfully submit that claims 48-75 should be allowed over Bryan.

Rejection Under 35 U.S.C. § 102(e) of Claims 48-75

The Examiner rejects **claims 48-75** under 35 U.S.C. § 102(e) as anticipated by Olsen et al. (WO 98/33125).

Claim 48

Claim 48 includes the limitations:

maintaining a registry of machine-readable specifications specifying business services offered by trading partners, the machine-readable specifications including at least one of definitions of, and references to definitions of, services offered and at least one of definitions of, and references to definitions of, documents to be exchanged with such services by trading partners; and

providing, in response to a request, one or more of the machine-readable specifications from said registry via a communication network to a requesting node.

These limitations are not found in Olsen.

The Examiner's position is hinged on the mistaken assertion that "database 410 of Figure 4 is one example of an equivalent to the registry of the present Application." (Sept. 26, 2007 at 8) The database 410 is not equivalent, as Olsen explains at col. 9,

line 12, because “During installation, the execution engine 484 transforms the process definitions it receives into executable state machines which are saved in database 410.”

During our reported interview of October 15, the Examiner agreed that a database of executable state machines does not read on this claim.

Therefore, claim 48 should be allowed over Olsen.

Claim 49

Claim 49 includes the limitations:

wherein said machine-readable specifications comprise data identifying respective descriptions of sets of storage units and logical structures for the sets of storage units.

These limitations are not found in Olsen. The passage from col. 9 of Olsen makes it clear that database 410 does not read on this claim.

Therefore, claim 49 should be allowed over Olsen.

Claims 50-75

It is not necessary to reassert our positions regarding claims 50-75, because the mistaken assertion regarding database 410 belies the Examiner’s position regarding all of these claims.

Applicants respectfully submit that claims 48-75 should be allowed over Olsen.

CONCLUSION

Applicants respectfully submit that the pending claims are now in condition for allowance and thereby solicit acceptance of the claims as now stated.

Applicants are always prepared to discuss this case with the Examiner, in an effort to move it to allowance. The undersigned can ordinarily be reached at his office at (650) 712-0340 from 8:30 a.m. to 5:30 p.m. PST, Monday through Friday, and can be reached at his cell phone at (415) 902-6112 most other times.

Fee Authorization. The Commissioner is hereby authorized to charge any additional fee determined to be due in connection with this communication, or credit any overpayment, to our Deposit Account No. 50-0869 (OIN 1006-2).

Respectfully submitted,

Dated: 31 October 2007

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